

5690. Misbranding of cottonseed meal and feed meal. U. S. * * * v. Lookout Refining Co., a corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 7643. I. S. Nos. 4423-1, 4425-1.)

On October 26, 1916, the United States attorney for the Eastern District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Lookout Refining Co., a corporation, Chattanooga, Tenn., alleging shipment by said company, in violation of the Food and Drugs Act, on or about March 10, 1916, and March 16, 1916, from the State of Tennessee into the State of Georgia, of quantities of articles labeled in part, "* * * Cotton Seed Meal * * *" and "* * * Lookout Brand Feed Meal * * *" which were misbranded.

Analysis of samples of the articles by the Bureau of Chemistry of this department showed the following results:

	The Cotton- seed Meal.	The Feed Meal.
Ether extract (per cent)-----	-----	2.84
Protein (N×6.25) per cent-----	36.7	17.60
Nitrogen (per cent)-----	5.87	2.81

The cottonseed meal is low in protein.

The feed meal is low in protein and fat.

Misbranding of the cottonseed meal was alleged in the information for the reason that the following statement regarding the article and the ingredients and substances contained therein, appearing on the tag attached to the sacks containing the article, to wit, "Guaranteed Analysis Protein more than 38.62%," was false and misleading in that it indicated to purchasers thereof that the article contained more than 38.62 per cent of protein, and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it contained more than 38.62 per cent of protein, when, in truth and in fact, it did not, but contained a less amount thereof, to wit, 36.7 per cent.

Misbranding of the feed meal was alleged for the reason that the following statements regarding the article and the substances and ingredients contained therein, appearing on the tag attached to the article, to wit, "Guaranteed Analyses Protein 21 per cent Fat 5 per cent," were false and misleading in that they indicated to purchasers thereof that the article contained not less than 21 per cent of protein and 5 per cent of fat, and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it contained not less than 21 per cent of protein and 5 per cent of fat, when, in truth and in fact, it did not, but contained 17.6 per cent of protein and 2.84 per cent of fat.

On November 23, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*